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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/028,381

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Amr Yassin

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02/16/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

LESNIEWSKI, VICTOR D

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/028,381	<b>Applicant(s)</b> YASSIN ET AL.	
	<b>Examiner</b> Victor Lesniewski	<b>Art Unit</b> 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The amendment filed 11/22/2005 has been placed of record in the file.
2. Claims 1 and 16 have been amended.
3. Claims 1-20 are now pending.
4. The applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the following new grounds of rejection.
5. After further search, new applicable prior art has been found. Thus the previously indicated allowable subject matter of claims 10, 11, 14, 15, and 18 is withdrawn in view of the newly discovered reference to Kimoto. The new grounds of rejection are presented below. Accordingly, this action is non-final.

### *Claim Rejections - 35 USC § 102*

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-3 and 7-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Kimoto (U.S. Patent Number 6,792,577).
8. Kimoto has disclosed:

- <Claim 1>

A method for utilizing a data format preference of a device, comprising: connecting a device to a network having a data repository (figure 1; column 6, lines 40-48; and column 11, line 64 through column 12, line 5); sending a device format preference to said data repository when the device is connected to the network, the device format preference including format information for needed data (column 16, lines 7-28); utilizing, on the network, the device format preference from the data repository in preparing the needed data for transmission to said device (column 16, lines 29-41); and sending the prepared needed data to said device (column 16, lines 42-63).

- <Claim 2>

The method of claim 1, further comprising saving the device format preference in the data repository (column 16, lines 23-28).

- <Claim 3>

The method of claim 1, wherein the device format preference is sent with a device identifier (column 16, lines 10-14).

- <Claim 7>

The method of claim 1, further comprising: sending a request for specific information by the device (column 16, lines 7-17); extracting, by the data repository from data storage, specific information (column 16, lines 35-41); retrieving the device format preference by the data repository using a device identifier (column 16, lines 23-34); formatting the specific information according to the device format preference (column 16, lines 42-47);

and sending the specific information over the network to the device from the data repository (column 16, lines 48-63).

- <Claim 8>

The method according to claim 7, wherein the device is an electronic device, and the request for the specific information and device format preference are embodied as one or more data packets (figure 5, item 18/68 and column 15, lines 21-34).

- <Claim 9>

The method according to claim 7, wherein the data repository is an extensible Markup Language (XML) data repository (column 16, lines 7-31).

- <Claim 10>

The method according to claim 7 wherein the data repository includes an extensible Markup Language (XML) database in communication with an Extensible Stylesheet Language Transformation (XSLT) engine in communication with the network (column 16, lines 7-31).

- <Claim 11>

The method according to claim 7, wherein the request for information is in an Extensible Stylesheet Language (XSL) stylesheet (column 16, lines 7-31).

- <Claim 12>

The method according to claim 7, wherein the network is an In-Home Digital Network (IHDN) (figure 1).

- <Claim 13>

The method according to claim 7, wherein the device is any one of the group comprising a personal computer, personal digital assistant, television, video cassette recorder, personal video recorder, remote control, and audio system, and the specific information requested is electronic program guide information (figure 5, item 18/68 and column 16, lines 60-63).

- <Claim 14>

A method for recognizing a preferred format of a device comprising: connecting the device to an In-Home Digital Network (IHDN) network that has an extensible Markup Language (XML) data repository (figure 1; column 6, lines 40-48; and column 11, line 64 through column 12, line 5); sending an Extensible Stylesheet Language (XSL) stylesheet request for excerpted electronic programming guide (EPG) information, including a device format preference from the device, over the IHDN network to an Extensible Stylesheet Language Transformation (XSLT) engine in communication with the XML data repository (column 16, lines 7-31); and utilizing, on the network, said device format preference from the XML data repository in preparing data for transmission to said device (column 16, lines 31-41).

- <Claim 15>

The method of claim 14, further comprising extracting the requested excerpted EPG information by the XSLT engine from the XML data repository (column 16, lines 35-41); formatting the excerpted EPG information in accordance with said device format

preference (column 16, lines 42-47); and sending the excerpted EPG information by the XSLT engine to the device over the IHDN network (column 16, lines 48-63).

- <Claim 16>

A system for using a format preferred for a device, the system comprising: a network that includes a data repository (figure 1; column 6, lines 40-48; and column 11, line 64 through column 12, line 5); said device, connected to the network and having a data format preference (figure 5, item 18/68 and column 15, line 64 through column 16, line 2); and a data packet containing a request for specific information, said data packet including said data format preference, wherein said data packet is prepared by the device and transmitted over the network to said data repository (column 15, lines 21-34 and column 16, lines 7-9), said network being configured for using said data packet, in preparing the specific information for transmission to said device, said data format preference stored by said data repository (column 16, lines 29-41).

- <Claim 17>

The system of claim 16, wherein the data repository extracts the specific information of the request, formats the specific information in accordance with said data format preference, and transmits the specific information over the communication network to the device (column 16, lines 42-63).

- <Claim 18>

The system according to claim 16, wherein the data repository is an extensible Markup Language (XML) data repository, which includes an XML database in connection with an Extensible Stylesheet Language Transformation (XSLT) engine, and the request for

specific information and the device format preference are in an Extensible Stylesheet Language (XSL) stylesheet (column 16, lines 7-31).

- <Claim 19>

The system according to claim 16, wherein the network is an In-Home Digital Network (IHDN) (figure 1).

- <Claim 20>

The system according to claim 16, wherein the specific information requested is electronic programming guide information (column 16, lines 60-63).

Since all the limitations of the invention as set forth in claims 1-3 and 7-20 were disclosed by Kimoto, claims 1-3 and 7-20 are rejected.

### *Claim Rejections - 35 USC § 103*

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimoto.

11. Concerning claim 4, Kimoto did not explicitly state using a network address of the device as a device identifier. However, network addresses were well known in the art and Kimoto's system must know the device's network address in order to send the correct information to the correct device. Since a network address uniquely identifies each device on the network, it would make sense to use the address as a device identifier. Thus, it would have been obvious to one of



Art Unit: 2152

ordinary skill in the art at the time of the applicant's invention to modify the system of Kimoto by adding the ability to use a network address of the device as a device identifier.

12. Concerning claims 5 and 6, Kimoto did not explicitly state sending the device format preference upon connection to the network. However, automatically sending control information upon a device's connection to a network was well known in the art. Since the network needs the device format preference in order to send the correct information to the correct device, it would make sense that the device format preference be sent as control information to the network upon connection by the device. Thus, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Kimoto by adding the ability to send the device format preference upon connection to the network.

13. Thereby, Kimoto discloses:

- <Claim 4>

The method of claim 1, wherein the device format preference is saved with a network address of the device to be used as a device identifier by the data repository (obviousness as discussed above).

- <Claim 5>

The method of claim 1, wherein the device connected to the network sends the device format preference each time it is connected to the network (obviousness as discussed above).

- <Claim 6>

The method of claim 1, wherein the network is an automatic configuration network, so that any device connected thereto sends the device format preference upon initial

connection to the network (obviousness as discussed above, along with the fact that Kimoto saves the device format preference so that the device wouldn't necessarily have to send it again after an initial connection).

Since Kimoto discloses all of the above limitations, claims 4-6 are rejected.

### *Conclusion*

14. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

- Humpleman et al. (U.S. Patent Number 6,243,707) disclosed a method for commanding and controlling diverse home devices connected to a home network by creating and using macros.
- Knowles et al. (U.S. Patent Number 6,505,348) disclosed a multiple interactive program guide system that provides different television programming to multiple users.
- Markel (U.S. Patent Number 6,760,043) disclosed a method for creating a platform independent enhancement file for television that uses a web based editor with local functions for repositioning and sizing of displayable elements.
- Ozzie et al. (U.S. Patent Number 6,941,510) disclosed an in-memory storage manager that allows real-time access to XML-compliant documents by separate processes operating in different contexts by using XSL transformations.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987.

The examiner can normally be reached on Monday through Thursday.

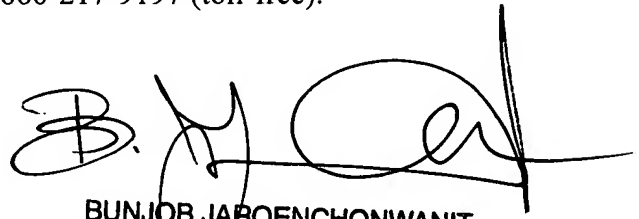
Art Unit: 2152

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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